

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

_____)	
RYAN MILLIRON,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No. 1:23-cv-1222
)	
NATIONAL ARCHIVES AND RECORDS)	
ADMINISTRATION et al.,)	
)	
<i>Defendants.</i>)	

Exhibit 6

**June 14, 2024 Email from Ryan Milliron to
Simon Jerome**

From: [Ryan M](#)
To: [Jerome, Simon G \(CIV\)](#)
Subject: [EXTERNAL] Re: DOD Reprocessing of 23-F-1597
Date: Friday, June 14, 2024 5:19:47 PM

Simon,

My concerns are not solely with the (b)(4) exemption. At this stage, I cannot withdraw my motion without a good faith showing from the agency and I don't think an offer to process the record for a third time is sufficient.

I don't believe it should require an additional two months, and I'm concerned that the DOD will continue to play a game of three-card monte.

I would ask that you consider embracing my motion for an in camera review and provide the court the best information available on the exemption claims.

If the Agency doesn't have sufficient information to substantively support the claims, that is regrettable but it is what it is. Perhaps the Agency processors have just made some mistakes.

I don't want to put words in your mouth but it sounds like you're having difficulty obtaining information from Georgia Tech. Maybe the best path for all of us is endorsing my alternative request for discovery so that we can get Georgia Tech on the record for the court if the DOD doesn't want to evaluate the exemptions on their own.

I will absolutely try to work with you the best that I can, but I don't have any more rope to extend to the government on this FOIA request.

Please let me know if you have any other thoughts.

Thank you,
Ryan

On Fri, Jun 14, 2024 at 4:53 PM Jerome, Simon G (CIV) <Simon.G.Jerome@usdoj.gov> wrote:

Ryan,

As noted in prior emails, I've been engaged in conversations with DOD and Georgia Tech about your objections to the assertion of FOIA Exemption 4 over the record at issue in *Milliron v. NARA* (23-cv-1222, W.D. Mich.). I can now report that DOD has agreed to reprocess the record. The agency anticipates that reprocessing will conclude in mid-August. This should allow sufficient time to communicate with Georgia Tech and to address any concerns the university might have about the applicability of FOIA exemptions to the record.

In light of the agency's voluntary reprocessing, we request that you withdraw the pending motion for in camera review. Please let me know what you think.

Thank you,

Simon

Simon G. Jerome

Trial Attorney

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